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10/024,726	12/21/2001	Robert M. Coleman	D/A0059	5950

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EXAMINER

MURPHY, DILLON J

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/024,726

Applicant(s)

COLEMAN, ROBERT M.

Examiner

Dillon J. Murphy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on December 21, 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 21 December, 2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

The abstract of the disclosure is objected to because the legal term "said printer" is incorporated in lines 5 and 13. Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because of the following informalities: the word "implements" on page 16, line 21, should be --implemented--.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Appropriate correction is required.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "Load" selection, #21, mentioned on page 10, line 7, "printer imaging actions," #48 on page 18, line 13, "load control," #45 on page 18, line 15, and "output user interface" #35 on page 19, line 14. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37

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CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 8, 9, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Smith et al (5,704,021), hereafter referred to as Smith.

Regarding claim 1, Smith teaches a printing system, comprising:

A printer (Smith, figure 1, #56, printer); and

A printer control device (Smith, figure 1, #32, Color Printer Driver in computer #44) for retrieving printer-independent print-quality characteristics associated with a document to be printed by said printer and for associating printer-dependent imaging actions with the printer-independent print-quality characteristics (Smith, figure 5, image object "text," #85, has printer-independent print quality characteristics such as vivid color #82, match screen #83, and no adjustment #84, associated with printer dependent imaging actions such as halftoning options cluster #91, Pattern #92, and Scatter #93).

Regarding claim 2, which depends from claim 1, Smith teaches a printing system further comprising a user interface having a control for associating printer-

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independent print-quality characteristics with printer-dependent imaging actions (Smith, figure 5, showing user interface #80 for associating independent and dependent characteristics and actions).

Regarding claim 3, which depends from claim 1, Smith teaches a printing system further comprising a user interface having a first control for invoking an option of automatically associating printer-independent print-quality characteristics with printer-dependent imaging actions in accordance with a set of predetermined associations (Smith, figure 4, user interface screen #60' shows first control #62' for automatically associating independent and dependent characteristics and actions) and a second control for manually associating printer-independent print-quality characteristics with printer-dependent imaging actions (Smith, figure 4, user interface screen #60' shows second control #63' for manually associating independent and dependent characteristics and actions).

Regarding claim 4, which depends from claim 3, Smith teaches a printing system further comprising a third control for defining a custom printer-independent print-quality characteristic and for associating printer-dependent imaging actions with said custom printer-independent print-quality characteristic (Smith, figure 5, lightness slider #96, providing the user with custom control of the lightness of a document, col 7, ln 25-45).

Regarding claim 8, Smith teaches a method for controlling the quality of printing, comprising:

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Providing a list of printer-dependent imaging actions (Smith, figure 5, list of printer-dependent imaging actions comprises halftone control of Cluster #91, Pattern #92, and Scatter #93);

Providing a list of printer-independent print-quality characteristics (Smith, figure 5, list of printer-independent print-quality characteristic comprises Vivid-Color #82, Match Screen #83, and No Adjustment #84);

Selecting a printer-independent print-quality characteristic from the list of printer-independent print-quality characteristics (Smith, figure 5, selection is made through user interface as a dot in a bubble, #85'); and

Associating at least one printer-dependent imaging action with the selected printer-independent print-quality characteristic (Smith, figure 5, association is made in a tabular format, wherein printer-independent print-quality characteristics and printer-dependent imaging actions are grouped together with image object "text" #85).

Regarding claim 9, which depends from claim 8, Smith teaches a method further comprising:

Defining a custom printer-independent print-quality characteristic (Smith, figure 5, lightness slider #96, allowing the user custom control of the lightness of a document, col 7, ln 25-45);

Adding the custom printer-independent print-quality characteristic to the list of printer-independent print-quality characteristics (Smith, figure 5, lightness control is currently added to list, while applying custom slider control assures association with printer-dependent imaging actions); and

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Associating at least one printer-dependent imaging action with said custom printer-independent print-quality characteristic (Smith, figure 5, association is made in a tabular format, wherein printer-independent print-quality characteristics and printer-dependent imaging actions are grouped together with image object "text" #85).

Regarding claim 12, which depends from claim 8, Smith teaches a method of controlling the quality of printing further comprising providing a default configuration of associations (Smith, figure 5, defaults control #98 selects a default configuration of associations).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-7, 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. (5,704,021) and Goertz et al. (US 6,173,295), hereafter referred to as Smith and Goertz.

Regarding claim 5, which depends from claim 3, Smith teaches a printing system comprising a printer and a print control device for automatically and manually associating printer-independent print-quality characteristics with printer-dependent imaging actions, as explained in the rejection of claim 3 above. Smith does not teach a printing system further comprising a third control for saving a set of associations.

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Goertz, however, discloses a printing system with control for saving a set of associations between printer-independent print-quality characteristics and printer-dependent imaging actions (Goertz, figure 8, shows submenu #80 providing control for saving job ticket, wherein the job ticket stores print attribute information and location of print files, col 5, ln 41-43).

Smith and Goertz are combinable because they are from the same field of endeavor of print attribute processing in a printing system: At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the feature of saving the set of associations of Goertz with the printer and print controller of Smith for automatic, manual, and custom association of printer-independent and printer-dependent characteristics and actions. The motivation for doing so would have been to create a job ticket that provides an improved system for organizing the information needed to prepare a print job comprised of multiple file items having different print attributes (Goertz, col 3, ln 11-14), and to allow the user to save the associations for later use. Therefore, it would have been obvious to combine Goertz with Smith to obtain the invention as specified in claim 5.

Regarding claim 6, which depends from claim 5, the combination of Smith and Goertz teaches a printing system further comprising a fourth control for loading said saved set of associations (Goertz, figure 8, shows submenu #80 providing control for loading (opening) job ticket).

Regarding claim 7, which depends from claim 5, the combination of Smith and Goertz teaches a printing system further comprising a fifth control for selecting a default

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configuration of associations (Smith, figure 5, defaults control #98 selects a default configuration of associations).

Regarding claim 10, which depends from claim 8, the combination of Smith and Goertz teaches a method for controlling the quality of printing further comprising saving a selected configuration of associations (Goertz, figure 8, shows submenu #80 providing control for saving job ticket, wherein the job ticket stores print attribute information and location of print files, col 5, ln 41-43).

Regarding claim 11, which depends from claim 10; the combination of Smith and Goertz teaches a method for controlling the quality of printing further comprising loading a saved selected configuration of associations (Goertz, figure 8, shows submenu #80 providing control for loading (opening) a previously saved job ticket).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Petchenkine et al. reference, US 6,624,908, filed October 1, 1999, is cited for teaching a printing method of defining, saving, and loading custom printer-independent print-quality characteristics. The Barry et al. reference, US 5,309,246, filed September 19, 1991, is cited for teaching a system and method of defining, saving and loading custom printer-dependent imaging actions and their association with print data.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dillon J. Murphy whose telephone number is (571) 272-5945. The examiner can normally be reached on M-F, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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